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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,630	07/13/2001	Hyun-kwon Chung	1293.1225	1050
21171	7590	12/23/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SWEARINGEN, JEFFREY R	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/903,630	CHUNG ET AL.	
	Examiner	Art Unit	
	Jeffrey R. Swearingen	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 October 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 45-64 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 45-64 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 13 July 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>multiple</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The preliminary amendment filed on 18 October 2004 has been admitted to the record. Claims 1-44 are hereby canceled. Claims 45-64 are pending.

Priority

2. Acknowledgement is made of foreign priority. The effective date of this application is 3/10/2001.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

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5. The abstract of the disclosure is objected to because the abstract copies information directly from the title of the application. The abstract is further repeated almost word-for-word in the Background section of the specification. See Specification, page 1, paragraph 0002. Additionally, the abstract gives no information about the applied usage of the invention, which is to read recorded digital media such as CDs and DVDs, gather additional information from a remote server about the content of said media, and duplicate said media. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 45-64 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. The term "additional information" in claims 45-64 is a relative term which renders the claim indefinite. The term "additional information" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear what "additional information" comprises, nor is it clear what the "additional information" is in addition to. For purposes of compact prosecution, Examiner will treat this as "information."

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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10. **Claims 51-57** rejected under 35 U.S.C. 102(e) as being anticipated by Levy et al. (U.S. Patent No. 6,505,160).

11. Regarding **claim 51**, Levy discloses *an additional information database which stores additional information items with respect to a plurality of contents* [Levy discloses a database that can be searched for related data to an identifier. See Levy, column 4, lines 56-63.]; *and a server for receiving an identifier of predetermined contents from a reproduction apparatus for reproducing the contents, retrieving one of the additional information items corresponding to the contents identifier from the additional information data base, and transmitting the retrieved one additional information item to the reproduction apparatus* [Levy discloses the database is located on a server. The server receives the identifier, searches that database using the identifier, and transmits the retrieved data to the reproduction apparatus. See Levy, column 4, lines 40-65.]. By this rationale **claim 51** is rejected.

12. Regarding **claim 52**, Levy is applied as in claim 51. Levy further discloses *the contents identifier is recorded in at least one recording medium on which the contents are recorded* [Levy discloses extracting the identifier from a recording medium. See Levy, column 2, lines 29-37.]. By this rationale **claim 52** is rejected.

13. Regarding **claim 53**, Levy is applied as in claim 51. Levy further discloses *an international standard recording code (ISRC) is recorded in at least one recording medium on which the contents are recorded, and the server receives the ISRC code as the contents identifier, retrieves the one of the additional information items mapped to the ISRC code from the additional information database, and transmits the retrieved one additional information item to the reproduction apparatus.* [Levy further discloses the use of an ISRC code as an identifier. See Levy, column 3, lines 28-29.] By this rationale **claim 53** is rejected.

14. Regarding **claim 54**, Levy is applied as in claim 51. Levy further discloses *the server transmits the additional information item corresponding to the received contents identifier to the reproduction apparatus* [See Levy, column 4, lines 62-63.], *and the reproduction apparatus comprises: an identifier*

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provider for providing the identifier of the contents [Levy discloses a decoding device which extracts an identifier from an object. See Levy, column 2, lines 46-48.], a network controller [Levy discloses accessing a computer network to get the information with a communication application. See Levy, column 4, lines 40-43.], and a controller for receiving the contents identifier from the identifier provider, transmitting the provided contents identifier to the server through the network connector, receiving the additional information item provided from the server through the network connector corresponding to the transmitted contents identifier, and displaying the received additional information item [Levy's communication apparatus sends information to a server, which looks up the identifier in a local database and returns that information to the user's computer. See Levy, column 4, lines 40-63. Data is returned to the communication apparatus. See Levy, column 5, lines 51-53. The additional information can be displayed. See Levy, column 15, lines 10-14]. By this rationale claim 54 is rejected.

15. Regarding **claim 55**, Levy is applied as in claim 51. Levy further discloses *the reproduction apparatus further comprises a reading unit for reading data from at least one storage medium [Levy discloses extracting the identifier from a recording medium. See Levy, column 2, lines 29-37. Extracting the identifier would involve reading the data.], the at least one storage medium stores the contents [In order to read data contents from the storage medium, they must be stored on the medium.], the identifier provider provides the contents identifier read from the at least one storage medium to the controller [See Levy, column 2, lines 29-37.], and the controller receives the contents identifier from the reproduction apparatus for transmitting the contents identifier provided by the identifier provider through the network connector to the server [See Levy, column 4, lines 40-45]. By this rationale claim 55 is rejected.*

16. Regarding **claim 56**, Levy is applied as in claim 55. Levy further discloses *the server receives an international standard recording code (ISRC) read from the at least one storage medium by the reading unit and provides the received ISRC code as the contents identifier to the controller. [Levy discloses the use of an ISRC code as an identifier. See Levy, column 3, lines 28-29.] By this rationale claim 56 is rejected.*

17. Regarding **claim 57**, Levy is applied as in claim 51. Levy further discloses *the server receives the contents identifier from a browser installed in a controller of the reproduction apparatus. [Levy*

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discloses implementing the communication apparatus as a web browser. See Levy, column 5, lines 54-56.] By this rationale **claim 57** is rejected.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. **Claims 45-50, 58-64** rejected under 35 U.S.C. 103(a) as being unpatentable over Levy et al. (U.S. Patent No. 6,505,160) and Leonhard et al. (U.S. Pub. No. 2002/0052933).

20. Regarding **claim 45**, Levy discloses *an identifier provider for providing an identifier of the contents* [Levy discloses a decoding device which extracts an identifier from an object. See Levy, column 2, lines 46-48.]; *a network controller* [Levy discloses accessing a computer network to get the information with a communication application. See Levy, column 4, lines 40-43.]; *and a controller for transmitting the contents identifier provided by the identifier provider to a server system, which provides additional information corresponding to the contents through the network connector, and receiving the additional information provided from the server system through the network connector* [Levy's communication apparatus sends information to a server, which looks up the identifier in a local database and returns that information to the user's computer. See Levy, column 4, lines 40-63.]. Levy fails to disclose use of a Cookie file to transmit the identifier provider.

21. However, Leonhard discloses transmitting information by way of a cookie. [Leonhard checks a cookie to determine information for a user. See Leonhard; page 19, paragraph 0416. See Leonhard, page 19, paragraph 0418.]

22. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to combine the teachings of Levy and Leonhard for the purpose of using a cookie to get media information with ease over a network. [See Leonhard, page 3, paragraph 0045.] Levy gives motivation

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for the combination by stating that communicating with the communication application can be established by use of a web browser. [See Levy, column 5, lines 51-59.] It is well established in the art that a cookie is commonly utilized in association with a web browser. By this rationale **claim 45** is rejected.

23. Regarding **claim 46**, Levy and Leonhard are applied as in claim 45. Levy further discloses a *reading unit for reading data from at least one storage medium, in which the contents are stored, and reads the contents identifier from the at least one storage medium, wherein the identifier provider provides the read contents identifier read from the at least one storage medium to the controller* [Levy discloses reading data and an identifier from a storage medium such as a DVD or CD. The decoder then extracts the identifier. See Levy, column 2, lines 29-48.] By this rationale **claim 46** is rejected.

24. Regarding **claim 47**, Levy and Leonhard are applied as in claim 45. Levy further discloses a *reading unit for reading data from at least one storage medium in which the contents are stored* [Levy discloses reading data from a storage medium. See Levy, column 2, lines 29-37.], *and reads an international standard recording code (ISRC) from the at least one storage medium, wherein the identifier provider receives the ISRC read and provides the ISRC as the contents identifier to the controller* [Levy discloses the identifier can be an ISRC code. See Levy, column 3, lines 24-29.]. By this rationale **claim 47** is rejected.

25. Regarding **claim 48**, Levy and Leonhard are applied as in claim 45. Levy further discloses a *reading unit for reading the contents from at least one storage medium in which the contents are stored* [See Levy, column 2, lines 29-37.], *and a reproducer for reproducing contents read by the reading unit* [Levy discloses using a decoder with a media player. Playing media is synonymous with reproducing contents read by the reading unit. See Levy, column 12, lines 16-21]. By this rationale **claim 48** is rejected.

26. Regarding **claim 49**, Levy and Leonhard are applied as in claim 48. Levy further discloses a *decoder for decoding the read contents* [See Levy, column 12, lines 11-21]. By this rationale **claim 49** is rejected.

27. Regarding **claim 50**, Levy and Leonhard are applied as in claim 49 Levy further discloses a *speaker for receiving audio data output from the decoder and delivering sound; and a display apparatus*

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for receiving video data output from the decoder and displaying images [Levy discloses using a media player for the data being read, such as Windows Media Player or Real Player. See Levy, column 12, lines 11-21. It is well known in the art that media players take advantage of a computer's display and speakers to play video and audio. Levy further discloses audio devices for playback. See Levy, column 13, lines 25-28. Levy further discloses a video display apparatus. See Levy, column 13, lines 41-45.]

By this rationale **claim 50** is rejected.

28. Regarding **claim 58**, Levy is applied as in claim 57. Levy fails to disclose the use of a Cookie file to transmit information.

29. However, Leonhard discloses transmitting information by way of a cookie. [Leonhard checks a cookie to determine information for a user. See Leonhard, page 19, paragraph 0416. See Leonhard, page 19, paragraph 0418.]

30. The motivation for the combination of these teachings is the same motivation applied to claim 45. By this rationale **claim 58** is rejected.

31. Regarding **claim 59**, the limitations of this claim are substantially the same as the limitations of claim 45. Therefore the rationale used to reject claim 45 is used to reject claim 59. By this rationale **claim 59** is rejected.

32. Regarding **claim 60**, the limitations of this claim are substantially the same as the limitations of claim 47. Therefore the rationale for rejecting claim 47 is used to reject claim 60. By this rationale **claim 60** is rejected.

33. Regarding **claim 61**, the limitations of this claim are substantially the same as the limitations of claim 47. Therefore the rationale used to reject claim 47 is used to reject claim 61. By this rationale **claim 61** is rejected.

34. Regarding **claim 62**, Levy and Leonhard are applied as in claim 60. Leonhard has already disclosed the use of a Cookie to transmit information [See claim 45] and Levy has already disclosed reading an identifier from the medium and transmitting it to the server [See claim 46. See claim 54.] The motivation for using a cookie to transmit the identifier has been established previously. [See claim 60. See claims 45 and 47.] Preparing and storing the cookie by the apparatus are necessary and obvious

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steps that precede transmitting the cookie. If the cookie were not prepared and stored, then it could not be transmitted. Examiner considers placing the cookie in memory in preparation for transmission to be storing the cookie. By this rationale **claim 62** is rejected.

35. Regarding **claim 63**, Levy and Leonhard are applied as in claim 60. Leonhard has already disclosed the use of a Cookie to transmit information [See claim 45] and Levy has already disclosed reading an identifier from the medium and transmitting it to the server [See claim 46. See claim 54.] The motivation for using a cookie to transmit the identifier has been established previously. [See claim 60. See claims 45 and 47.] Preparing and storing the cookie by the apparatus are necessary and obvious steps that precede transmitting the cookie. If the cookie were not prepared and stored, then it could not be transmitted. Examiner considers placing the cookie in memory in preparation for transmission to be storing the cookie. The use of a web browser as part of the communication apparatus has already been established. [See motivation for claim 45.] By this rationale **claim 63** is rejected.

36. Regarding **claim 64**, Levy and Leonhard are applied as in claim 60. Leonhard has already disclosed the use of a Cookie to transmit information [See claim 45] and Levy has already disclosed reading an identifier from the medium and transmitting it to the server [See claim 46. See claim 54.] The motivation for using a cookie to transmit the identifier has been established previously. [See claim 60. See claims 45 and 47.] Preparing and storing the cookie by the apparatus are necessary and obvious steps that precede transmitting the cookie. If the cookie were not prepared and stored, then it could not be transmitted. Examiner considers placing the cookie in memory in preparation for transmission to be storing the cookie. The use of a web browser as part of the communication apparatus has already been established. [See motivation for claim 45.] By this rationale **claim 64** is rejected.

Conclusion

37. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

So U.S. Pub. No. 2001/0005838.

Borman et al. U.S. Patent No. 6,226,655

Tanaka et al. U.S. Patent No. 6,618,335

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Aoyama et al. U.S. Patent No. 6,810,200

Iida, Sachio U.S. Pub. No. 2001/0044838

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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AV: 2145